

Applicant(s) : Yee Mau CHEN and Sum Fat POON
U.S. Serial No.: 10/616,417
Filed : July 9, 2003
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REMARKS

Claims 1, 2, 4, 6-9 and 11-20 were pending in this Application. By this Amendment, Applicants canceled claims 1, 2, 4, 6-9 and 11-20 without prejudice to Applicants' rights to pursue the subject matter in a future application.

Applicants submitted new claims 21-32 for consideration by the Examiner. Applicants maintain that new claims 21-32 are well supported *inter alia* by the specification as originally filed, i.e. page 5, lines 22-28, page 6, lines 3-15, and page 5, lines 29-34, respectively.

Claim 21 corresponds to canceled claim 2 and incorporating claim 1; claim 22 corresponds to canceled claim 4 and incorporating claim 1; claims 23-25 corresponds to canceled claims 6-8, respectively; claim 26 corresponds to canceled claim 9 and incorporating claim 1; claims 27-28 corresponds to canceled claims 11-12; claim 29 corresponds to canceled claim 16 and incorporating claim 1; claim 30 corresponds to canceled claim 18 and incorporating claim 1; claim 31 corresponds to claim 19; claim 32 corresponds to claim 20 and incorporating claim 1.

Accordingly, there is no issue of new matters and Applicants respectfully request the entry of this Amendment. Upon entry of this Amendment, Claims 21-32 will be pending and under examination.

35 U.S.C. §112, Second Paragraph, Rejection

In response but without conceding the correctness of the Examiner's position and to expedite the prosecution of this Application, Applicants have canceled claims 1, 2, 4, 6-9, and 11-20 without prejudice. New claims 21-32 do not contain the

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above mentioned issues, thereby rendering this ground of rejection moot.

35 U.S.C. §102 Rejection

The Examiner rejected claim 1 and 17 as being anticipated by Fischer. The Examiner alleged that the Fischer patent (U.S. Patent No. 5,794,519) disclosed "a brewing head assembly, comprising: upper and lower brewing heads 1 and 2; a brewing cartridge support 23; a slide assembly 19, 25 associated with the upper and lower brew heads; a sealing assembly 21, 22 for providing a water tight connection between the upper and lower brewing heads; and a pop-up and roll-back assembly 20, 15 operatively linked to the brewing heads."

In response but without conceding the correctness of the Examiner's position and to expedite the prosecution of this Application, Applicants have canceled claims 1, 2, 4, 6-9, and 11-20 without prejudice. New claims 21-32 do not contain the above mentioned issues, thereby rendering this ground of rejection moot.

CONCLUSION

Applicants respectfully contend that the Examiner's objections and/or rejections raised in this Office action have been fully addressed, and therefore this Application is in full compliance with all requirements. Accordingly, Applicants respectfully urge the Examiner to reconsider and withdraw all objections and/or rejections in this Office action and place this application in conditions for allowance.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned

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attorney invites the Examiner to telephone him at the number provided below.

No fee other than the EIGHTY-EIGHT DOLLARS (\$88.00) for submitting an additional independent claim is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan
Albert Wai-Kit Chan
Registration No. 36,479
Attorney for Applicant(s)
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357
Tel: (718) 357-8836
Fax: (718) 357-8615
e-mail: kitchanlaw@aol.com